

Message Text

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PAGE 01 STATE 051753

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ORIGIN EUR-25

INFO OCT-01 ISO-00 JUSE-00 SCS-03 SCA-01 L-03 RSC-01 /034 R

DRAFTED BY EUR/CE:BAFLATIN:LCB

APPROVED BY EUR/CE:SGEORGE

JUSTICE: CCDONSANTO

SCA/SCS:TGUSTAFSON

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P 142247Z MAR 74

FM SECSTATE WASHDC

TO AMEMBASSY BERN PRIORITY

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E.O. 11652: N/A

TAGS: CFED, SZ

SUBJECT: JOHN ROBERT HAY CASE

REF: BERN 925

1. IN VIEW OF THE CONTINUED REFUSAL OF EGGER TO SIGN THE TRANSCRIPT (PARA 3, REFTEL), JUSTICE HAS WEIGHED OTHER WAYS IN WHICH TO MAKE THIS DOCUMENT ACCEPTABLE TO THE US DISTRICT COURT AT DENVER. ACCORDINGLY, JUSTICE REQUESTS THAT CONSUL RAND RESUBMIT TRANSCRIPT OF EGGER'S TESTIMONY TO THE COURT, SIGNING THE LAST PAGE IN THE FOLLOWING STYLE: QUOTE: THOMAS EGGER, BY S. RICHARD RAND, AMERICAN CONSUL END QUOTE.

2. JUSTICE ALSO REQUESTS THAT CONSUL RAND AFFIX TO THE TRANSCRIPT, UNDER HIS OFFICIAL SEAL, AN AFFADAVIT THAT WOULD: (A) AFFIRM THAT RAND WAS PRESIDING OFFICER AT THE PROCEEDINGS, (B) EXPLAIN IN SOME DETAIL WHY EGGER REFUSES TO SIGN -- INCLUDING AN ACCOUNT OF THE EFFORTS OF THE EMBASSY AND THE FDJP TO SECURE THE SIGNATURE, (C) AFFIRM -- TO THE DEGREE THAT HE CAN SO DO IN GOOD CONSCIENCE -- THAT THE TRANSCRIPT IS A TRUE AND EXACT RECORD OF EGGER'S TESTIMONY, BASED UPON HIS PERSONAL OBSERVATION AS PRESIDING

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OFFICER.

3. JUSTICE BELIEVES THAT THIS APPROACH MAY SATISFY THE
SIGNATURE REQUIREMENT UNDER CERTAIN APPLICABLE PROVISIONS
OF THE US CODE. KISSINGER

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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
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Copy: SINGLE
Draft Date: 14 MAR 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: morefirh
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
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Disposition Remarks:
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30 JUN 2005

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